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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

DAPHNE P. RAND, by and through DEBRA J. ) Case No.: CV09-0639 SI  
DOLCH, as Conservator of the Person and Estate )  
of DAPHNE P. RAND, Conservatee, on Behalf of ) **STIPULATION AND [PROPOSED]**  
Themselves and All Others Similarly Situated, ) **ORDER TO EXTEND DEADLINE FOR**  
Plaintiff, ) **CONDUCTING EARLY NEUTRAL**  
v. ) **EVALUATION**  
AMERICAN NATIONAL INSURANCE )  
COMPANY, a Texas corporation, ) **[N.D. ADR Local Rule 5-5]**  
Defendant. )  
Honorable Susan Illston )

Plaintiff Daphne Rand, by and through Debra J. Dolch, as Conservator of the Person and Estate of Daphne P. Rand, Conservatee, on Behalf of Themselves and All Others Similarly Situated (“Plaintiff”) and defendant American National Insurance Company (“Defendant”) hereby submit this Stipulation to extend the deadline for conducting the Early Neutral Evaluation (ENE) session.

WHEREAS, the parties scheduled the ENE session for October 13, 2009;

WHEREAS, the parties engaged in joint preliminary discussions with the appointed evaluator Charles G. Miller, in which the parties agreed that the ENE session will be most beneficial if it is held after the Court rules on plaintiff's motion for class certification;

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1           WHEREAS, the appointed evaluator Charles G. Miller has agreed to make himself  
2 available for an ENE session on a new date if the parties are able to obtain an extension in order to  
3 await the Court's order on plaintiff's motion for class certification;

4           IT IS HEREBY STIPULATED by and between the parties hereto that the deadline for  
5 conducting the ENE session will be extended to June 15, 2010.

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7 Date: October 12, 2009

WILSON, ELSEY, MOSKOWITZ,  
EDELMAN & DICKER LLP

9 By: /s/ Thomas M. Herlihy  
10 THOMAS M. HERLIHY  
11 Attorneys for Defendant  
12 AMERICAN NATIONAL INSURANCE  
13 COMPANY

14  
15 Date: October 12, 2009

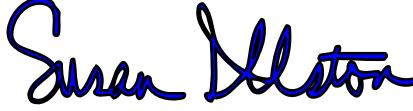
WATERS KRAUS & PAUL

16 By: /s/ Ingrid M. Evans  
17 INGRID M. EVANS  
18 Attorneys for Plaintiff  
19 DAPHNE P. RAND

20           **ORDER**

21           Good cause appearing therefore, IT IS HEREBY ORDERED that the deadline for  
22 conducting the ENE session will be extended to June 15, 2010.

23 Date: \_\_\_\_\_

By:   
HONORABLE SUSAN ILLSTON  
United States District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on October 12, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the Electronic Mail Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on October 12, 2009.

/s/ *Shivani Nanda*

SHIVANI NANDA

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